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Examiner's first report on patent application no. 35348/00
by HITACHI, LTD.

Last proposed amendment no.

Dear Madam/Sir,

I am replying to the request for normal examination. I have examined the application and I believe that there are lawful grounds of objection to the application. These grounds of objection are:

1. The invention defined by claims 12 and 15 is not novel in light of
JP 09 221 024 A (Hitachi Ltd) 26 August 1997.
2. The invention defined by claims 5,16, 19, 22 and 23 is not novel in light of the following published specifications:
US 5 651 154 A (Reynolds Metals Company) 29 July 1997,
US 5 810 507 A (Reynolds Metals Company) 22 September 1998, and
US 5 901 396 A (Reynolds Metals Company) 11 May 1999.
In each see figure 13 and the related description.
3. The invention defined by claims 1, 3, and 6 - 11 lacks an inventive step when compared with the above citations. These claims are no more than a workshop variation in that they merely utilise an alternative, known joining method - a friction stir join - readily available to the person skilled in the art. These claims therefore lack an inventive step.
4. Claims 15 and 24 are not clear because they are of indeterminate scope.
5. Claims 16 to 21 are not clear because I cannot determine the meaning of a 'friction stir joining use hollow frame member'.

I apologise for your application not being considered within the time set out in our Customer Service Charter. We are refining our processes to address these delays.

You have 21 months from the date of this report to overcome all my objection(s) otherwise your application will lapse. You will need to pay a fee for any response you file after 12 months from the date of this report before I can consider that response.

Yours faithfully,

ROSS BURDON
Examiner of Patents, Section A3
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